

**RECEIVED  
CENTRAL FAX CENTER**

**TELEFAX COVER SHEET**

**DEC 6 - 2007**

**PATTERSON & SHERIDAN, LLP**  
 ATTORNEYS AT LAW  
 595 SHREWSBURY AVENUE  
 FIRST FLOOR  
 SHREWSBURY, NJ 07702  
 TELEPHONE (732) 530-9404  
 TELEFAX (732) 530-9808

\*\*\*\*\*

THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR  
COMPANY LISTED BELOW.

IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE NOT THE  
INTENDED RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE  
MAY CONTAIN PRIVILEGED OR CONFIDENTIAL MATERIAL, AND  
YOUR DUE REGARD FOR THIS INFORMATION IS NECESSARY. YOU  
MAY ARRANGE TO RETURN THIS MATERIAL BY CALLING THE FIRM  
LISTED ABOVE AT (732) 530-9404

\*\*\*\*\*

THIS MESSAGE HAS 15 PAGES INCLUDING THIS SHEET

TO: COMMISSIONER OF PATENTS  
 FAX NO.: (571) 273-8300  
 FROM: KIN-WAH TONG, ESQ.  
 DATE: DECEMBER 6, 2007  
 MATTER: U.S. SERIAL No. 10/734,802 FILED DECEMBER 12, 2003  
 DOCKET NO.: YOR920030570US1  
 APPLICANT: CHESS, ET AL.

THE FOLLOWING HAS BEEN RECEIVED IN THE U.S. PATENT AND TRADEMARK OFFICE ON  
THE DATE OF THIS FACSIMILE:

<input type="checkbox"/> NOTICE OF RECORDATION	<input checked="" type="checkbox"/> TRANSMITTAL LETTER (2 COPIES)
<input type="checkbox"/> DISCLOSURE STATEMENT & PTO-1449	<input type="checkbox"/> FEE TRANSMITTAL (2 COPIES)
<input type="checkbox"/> PRIORITY DOCUMENT	<input type="checkbox"/> DEPOSIT ACCOUNT TRANSACTION
<input checked="" type="checkbox"/> RESPONSE UNDER 37 C.F.R. §1.111	<input checked="" type="checkbox"/> FACSIMILE TRANSMISSION CERTIFICATE
<input type="checkbox"/> REQUEST FOR CONTINUED EXAMINATION (2 COPIES)	DATED <u>DECEMBER 6, 2007</u>
	<input type="checkbox"/> CHANGE OF CORRESPONDENCE ADDRESS

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED BY FACSIMILE TO COMMISSIONER  
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON 12/6/07, FACSIMILE NO. (571) 273-8300.

KIRSTEN HUNTER  
NAME OF PERSON SIGNING THIS CERTIFICATE

Kirsten Hunter DECEMBER 6, 2007  
SIGNATURE AND DATE

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/734,802

Filing Date

December 12, 2003

First Named Inventor

Chess, et al.

Art Unit

2139

Examiner Name

James R. Turchen

Attorney Docket Number

YOR920030570US1

**ENCLOSURES (check all that apply)** Fee Transmittal Form Fee Attached Amendment / Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) \_\_\_\_\_ Landscape Table on CD After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s)  
(please identify below):

Facsimile Transmission

**Remarks:** It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

Patterson &amp; Sheridan, LLP

Signature

Printed Name

Kin-Wah Tong, Esq.

Date

December 6, 2007

Reg. No.

39,400

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Kirsten Hunter

Date

December 6, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8188 and select option 2.

FAX41RR-1

PAGE 2/15 \* RCVD AT 12/6/2007 5:02:21 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:732 530 9808 \* DURATION (mm:ss):02-26

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/734,802

Filing Date

December 12, 2003

First Named Inventor

Chess, et al.

**RECEIVED****CENTRAL FAX CENTER****DEC. 6 - 2007**

Art Unit

2139

Examiner Name

James R. Turchen

Attorney Docket Number

YOR920030570US1

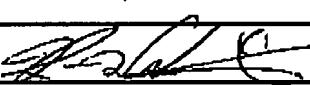
**ENCLOSURES (check all that apply)**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment / Reply                     | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Request for Refund   | <input type="checkbox"/> Facsimile Transmission   |
| <input type="checkbox"/> Information Disclosure Statement                 | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> Landscape Table on CD  |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   |   |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

**Remarks** It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Patterson &amp; Sheridan, LLP

Signature 

Printed Name Kin-Wah Tong, Esq.

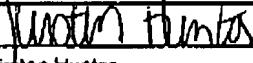
Date December 6, 2007

Reg. No.

38,400

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature 

Typed or printed name Kirsten Hunter

Date

December 6, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

F-241RR-1

PAGE 3/15 \* RCVD AT 12/6/2007 5:02:21 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:732 530 9808 \* DURATION (mm:ss):02-26

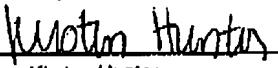
DEC 6 - 2007 PATENT

Atty. Dkt. No. YOR920030570US1

## CERTIFICATE OF TRANSMISSION under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office : (571) 273-8300  
on: December 6, 2007.

Date



Kirsten Hunter

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chess, et al.

\$

\$

\$ Group Art Unit: 2139

Serial No.: 10/734,802

\$

\$

Confirmation No.: 3904

\$

\$

\$ Examiner: James R. Turchen

Filed: December 12, 2003

\$

\$

For: METHODS AND APPARATUS FOR  
ADAPTIVE SERVER  
REPROVISIONING UNDER  
SECURITY ASSAULT

\$

\$

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## RESPONSE TO OFFICE ACTION DATED SEPTEMBER 6, 2007

In response to the Office Action dated September 6, 2007, having a shortened statutory period for response set to expire on December 6, 2007, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although the Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/IBMY/920030570, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.